

# **THE LEONARD LETTER**

*April 24, 2006*

## **QUOTE OF THE WEEK**

*"In all criminal prosecutions, the accused shall enjoy the right to a speedy and public trial, by an impartial jury of the State and district wherein the crime shall have been committed, which district shall have been previously ascertained by law, and to be informed of the nature and cause of the accusation; to be confronted with the witnesses against him; to have compulsory process for obtaining witnesses in his favor, and to have the Assistance of Counsel for his defence." --- Bill of Rights, Sixth Amendment to the Constitution*

## **UNDER THE DOME**

### **\*\*\*Left and Right Agree\*\*\***

It is a rare occurrence that I find myself largely in agreement with Jean Ross of the California Budget Project because I perceive her advocating higher taxes and more spending. However, I came across a briefing paper of hers about California taxation that documents something I have been pointing out for some time. That is, it is California's high and regressive sales tax that makes it so California's poor have the highest percentage of their income going to taxation than any other income group. Our highly progressive income tax does not even close the gap between the wealthiest and poorest because the rich can more easily shelter their tax liability or move. Jean and I part ways when it comes to what policy change should arise from this information. I say her data show that lower and flatter taxes are both fairer along with being better for economic growth. Jean's good research can be found here:

[http://www.cbp.org/2006/0604\\_pp\\_whopaystaxes.pdf](http://www.cbp.org/2006/0604_pp_whopaystaxes.pdf)

### **\*\*\*Too Little, Too Late\*\*\***

The State Assembly approved a bill to create a confidential, name-based reporting system for new HIV cases in California. That is 20 years too late. Some of us serving in the Assembly back in 1986 demanded that such a registry be kept so that public health officials could follow-up on those who were infected. That could have controlled the outbreak, saved lives and spared public resources. It was politically incorrect to suggest such a practical approach two decades ago because HIV-AIDS was treated as a political disease rather than as an old fashioned communicable disease.

## **AROUND THE STATE**

## **\*\*\*Studying the Mexican Constitution\*\*\***

We are engaged in a great national debate about illegal immigration and we are searching for approaches to dealing with the challenge that range from mass amnesty to mass deportation. Michael Waller at the Center for Security Policy decided to examine how one country integral to our debate, Mexico, deals with their illegal immigrants. What he found in the Mexican constitution was very specific and harsh treatment of people in that country illegally. Waller summarizes thusly:

- Immigrants and foreign visitors are banned from public political discourse.
- Immigrants and foreigners are denied certain basic property rights.
- Immigrants are denied equal employment rights.
- Immigrants and naturalized citizens will never be treated as real Mexican citizens.
- Immigrants and naturalized citizens are not to be trusted in public service.
- Immigrants and naturalized citizens may never become members of the clergy.
- Private citizens may make citizens' arrests of lawbreakers and hand them over to the authorities.
- Immigrants may be expelled from Mexico for any reason and without due process.

Waller suggests there are two policy options:

1. Mexico should amend its constitution to guarantee immigrants to Mexico the same right it demands the United States give to immigrants from Mexico; or
2. The United States should impose the same restrictions on Mexican immigrants that Mexico imposes on American immigrants.

While Mexican laws are clearly anti-immigrant and biased even if they changed their system it would not alter the problems America has in not enforcing its own laws. I say our laws recognize the great benefits of immigration but that our laws must be enforced to be fair to those who actually follow the law when they immigrate.

To read more and see the citations to the Mexican constitution, go to this link:

[http://www.centerforsecuritypolicy.org/Mexicos\\_Glass\\_House.pdf#search='center%20for%20security%20policy%20mexico%27s%20glass%20house'](http://www.centerforsecuritypolicy.org/Mexicos_Glass_House.pdf#search='center%20for%20security%20policy%20mexico%27s%20glass%20house')

## **\*\*\*Junk Science\*\*\***

Governor Schwarzenegger has been working on his environmentalist credentials lately. He unveiled a new television ad highlighting his efforts to place land into conservancy, remove vehicles that cause air pollution from the roads, and reduce greenhouse gases. The media coverage of that once again assumed the greenhouse effect on global warming without even examining the data. Steve Frank calls the media “gullible” about science issues and refers skeptics to this site:

<http://www.junkscience.com/>

Here you can find documentation about the cyclical nature of global temperatures that should cause you to question the media's assumption about a permanent temperature change. Why should you question this? First, consider the disasters that have resulted from previous environmental hysteria. Frank cites the banning of the pesticide DDT, in which the media ignored evidence that it was not carcinogenic, mutagenic or teratogenic. The absence of DDT led to a malaria outbreak in Africa that killed millions. Their deaths were preventable, but our acceptance of junk science stood in the way of reason. Second, you are no doubt concerned about how much more of your hard-earned money is going toward gasoline these days. Did you know that last December the California Climate Action Team recommended a "public goods service charge" (that's just another way to say "tax") on all oil products? Unless you do not mind paying even more for gasoline, go read about junk science.

## ISSUE FOCUS

### \*\*\*Bank Kudos\*\*\*

I commend the Branch Banking and Trust Company (BB&T Corporation) based in North Carolina for its decision to no longer lend money to developers who are building on land that was seized from property owners by the government through the eminent domain process. BB&T CEO John Allison explained, "The idea that a citizen's property can be taken by the government solely for private use is extremely misguided, in fact it's just plain wrong....As an institution dedicated to helping our clients achieve economic success and financial security, we won't help any entity or company that would undermine that mission and threaten the hard-earned American dream of property ownership."

## MISCELLANY

### \*\*\*California County History\*\*\*

Glenn County was created in 1891 out of the northern part of Colusa County. It was named for Dr. Hugh J. Glenn, eventually the largest wheat farmer in California. Glenn first came to California in 1849, leaving his medical practice in St. Louis for the gold fields at Murderer's Bar on the American River. Disappointed by mining, he bought a team of oxen and hauled freight between Sacramento, Coloma and various mining camps. After accumulating profits, Glenn bought a livery stable in Sacramento which he later sold for \$5,000. He returned to Missouri in 1850 and deposited his money in a bank that failed three weeks after. To get another "stake," Glenn returned to California in 1851 and started ranching. He made thirteen trips across the plains with bands of horses and cattle, and eventually was able to buy seven thousand acres in northern Colusa County. He added to his holdings until he owned a five-mile-wide block of 55,000 acres

extending north and south along the Sacramento River for 20 miles, including all of what is now Glenn County. At one point, he had eighty thousand acres dedicated to growing grain in California. His experience with farming led to his appointment to the State Board of Agriculture. In 1879 he ran for Governor as both a Democrat and New Constitutionalist. (He lost to Republican George C. Perkins.) He was killed on his ranch in 1883 by his bookkeeper, Hurum Miller. Glenn was 58.

### **\*\*\*A Good Read\*\*\***

Earlier this year, I recommended readers to explore the latest edition of E.D. Hirsch Jr.'s "Cultural Literacy." This week I suggest you pick up his most recent book, "The Knowledge Deficit." This concise book should be read by every parent, teacher, school administrator and school board member in the country. Hirsch discusses the disappointing results of American students on reading tests compared to students in other nations, and the fact that our students actually get worse the longer they stay in our schools. Beyond presenting this social and economic challenge, Hirsch offers the solution: a different way of teaching. He does not blame teachers for the current state of affairs, but describes how the strategies for teaching students to read have failed the teachers and the students. He shows us how the books and stories used to teach students how to read do not engage their interest enough to take them to the next step of interacting with and truly comprehending what they are reading. He writes, "[C]hildren are not less intelligent than adults, they are just less well informed, and if an adult finds this story empty and pointless, so will a child."

The common assumption that has guided our reading instruction for the last few decades has been that we need to teach students certain "decoding" skills so they can turn the marks on a page into sounds and words. Then the assumption says that when they are ready, the students will just begin to understand what they are reading. To Hirsch, this is the fatal flaw. He argues that children need to be taught specific knowledge about their world in order to understand what they read and that by divorcing content from the skill of reading, we have created a nation of people without the ability to comprehend what they read, if they read. Children also need to be taught grammar explicitly and build their vocabularies from the earliest of ages. One challenge on this front is a child's parents: if a child hears "Stop it!" instead of "Would you like to play with your blocks or your cards now?" that child is not learning new words at the rate he needs to in order to be a successful reader. Hirsch writes, "There is no successful shortcut to teaching and learning this specific knowledge. Those who develop language arts programs at the school level or in publishing houses must understand that the skills they wish to impart are in fact knowledge-drenched and knowledge-constituted. The happy consequence will be reading programs that are much more absorbing, enjoyable, and interesting than the disjointed, pedestrian programs offered to students today."

## **BOE AND LEGISLATIVE DATES**

**April 27, 2006** --- Free tax seminar for nonprofit and exempt organizations in Visalia (<http://www.boe.ca.gov/sutax/nonprofitsched.htm>)

**April 28, 2006** --- First day to file petitions in-lieu of the filing fee for independent candidates for the general election.

**May 4, 2006** --- Free tax seminar for nonprofit and exempt organizations in Chico (<http://www.boe.ca.gov/sutax/nonprofitsched.htm>)

**May 8, 2006** --- Absentee ballots begin to drop for the June 2006 primary election.

**May 11, 2006** --- Free tax seminar for nonprofit and exempt organizations in San Gabriel (<http://www.boe.ca.gov/sutax/nonprofitsched.htm>)

**May 14, 2006** --- Mothers' Day.

**May 17, 2006** --- BOE meets in Sacramento.

**May 29, 2006** --- Memorial Day.

**May 30, 2006** --- Last day to apply for an absentee ballot for the June 6<sup>th</sup> primary election.

**June 6, 2006** --- Primary election.

**June 13-15, 2006** --- BOE meets in Culver City.

**June 15, 2006** --- Budget bill must be passed by the legislature by midnight.

**June 27-28, 2006** --- BOE meets in Sacramento.

## **NOTABLE DATES/ HISTORY**

**April 24, 1184 BC** --- Traditional date of the Greek assault on the city of Troy using massive wooden horse as ruse to get inside the city wall.

**April 24, 1800** --- The U.S. Library of Congress was established in the Capitol building in Washington, D.C.; it moved to its own quarters in 1897.

**April 25, 1945** --- Delegates from 50 nations met in San Francisco to organize the United Nations.

**April 26, 1607** --- A group of English colonists, including Captain John Smith, landed at Cape Henry, Virginia, where they established the first permanent English settlement in the New World.

**April 27, 1937** --- The first social security checks were distributed in the U.S.

**April 28, 1945** --- Benito Mussolini, deposed dictator of Italy, and his mistress, Clara Petacci, were shot by Italian partisans who had captured the couple as they attempted to flee to Switzerland.

**April 29, 1992** --- One of the worst riots in U.S. history erupted in Los Angeles, California, after a jury acquitted four white police officers of beating black motorist Rodney King.

**April 30, 1789** --- George Washington was inaugurated as the first president of the United States in New York City.

**April 30, 1803** --- The United States more than doubled its size with the Louisiana Purchase, a vast territory bought from France for \$15 million.

## **GENERAL TAX INFORMATION**

For answers to your general tax questions, call the Board of Equalization information center. Customer service representatives are available to help you from 8:00 a.m. to 5:00 p.m. Pacific time, Monday through Friday (except state holidays).

Toll-free number: 800-400-7115  
TDD service for the hearing impaired  
TDD phones: 800-735-2929  
Voice phones: 800-735-2922

To reach the Taxpayer Rights Advocate's office for assistance with any BOE issues, see <http://www.boe.ca.gov/tra/tra.htm>, or call toll-free 1-888-324-2798.

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